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Attorneys for FIDELITY NATIONAL TITLE INSURANCE
COMPANY and CHICAGO TITLE INSURANCE
COMPANY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHRISTIANA TRUST, A DIVISION OF
WILMINGTON SAVINGS FUND
SOCIETY, FSB, NOT IN ITS
INDIVIDUAL CAPACITY BUT AS
TRUSTEE OF ARLP TRUST 3,

Plaintiff,

vs.

FIDELITY NATIONAL TITLE
INSURANCE COMPANY, CHICAGO
TITLE INSURANCE COMPANY and
TICOR TITLE INSURANCE COMPANY,

Defendant.

Case No.: 2:19-cv-00385-JAD-VCF

**STIPULATION AND PROPOSED
ORDER EXTENDING DEFENDANTS
FIDELITY NATIONAL TITLE
INSURANCE COMPANY'S, CHICAGO
TITLE INSURANCE COMPANY'S
AND TICOR TITLE INSURANCE
COMPANY'S TIME TO RESPOND TO
COMPLAINT**

(First Request)

Plaintiff Christiana Trust, A Division of Wilmington Savings Fund Society, FSB, Not in Its Individual Capacity But as Trustee of ARLP Trust 3 ("Christiana Trust"), and defendants Fidelity National Title Insurance Company ("Fidelity") and Chicago Title Insurance Company ("Chicago Title"), by and through their counsel of record, hereby stipulate as follows:

WHEREAS, Christiana Trust filed its complaint in this matter on March 5, 2019 (ECF No. 1);

WHEREAS, Fidelity was served with the summons and complaint on or about March 28, 2019;

1 **WHEREAS**, Fidelity’s response to the complaint is due on April 18, 2019;

2 **WHEREAS**, Chicago Title was served with the summons and complaint on or about March
3 22, 2019;

4 **WHEREAS**, Chicago Title’s response to the complaint is due on April 12, 2019;

5 **WHEREAS**, Christiana Trust contends that it served defendant Ticor Title Insurance
6 Company (“Ticor Title”) with the Summons and Complaint on or about March 22, 2019;

7 **WHEREAS**, Ticor Title’s response to the Complaint would be due on April 12, 2019;

8 **WHEREAS**, Chicago Title and Fidelity contend that Ticor Title is not a proper party
9 defendant because they contend that Ticor Title merged into Chicago Title in 2010 (and that any
10 claims that could have been asserted against Ticor Title must therefore be asserted against its
11 corporate successor);

12 **WHEREAS**, the parties are presently meeting and conferring on whether there is subject
13 matter jurisdiction in the United States District Court over this dispute and, if so, whether Ticor
14 Title is properly a defendant in this action;

15 **WHEREAS**, Christiana Trust has agreed to extend Fidelity’s, Chicago Title’s, and Ticor
16 Title’s (if applicable) time to respond to the complaint to May 3, 2019 to afford the parties additional
17 time to consider the jurisdictional issue and whether Ticor Title is properly joined as a defendant;
18 and

19 **WHEREAS**, this is the first stipulation for an extension of Fidelity’s, Chicago Title’s, and
20 Ticor Title’s time to respond to the complaint.

21 Now, therefore, the parties hereto, by and through their counsel of record, hereby stipulate
22 and agree as follows:

23 1. Fidelity, Chicago Title and Title Title (if applicable) shall file their responses to the
24 complaint in this matter on or before May 3, 2019.

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28 //

2. Defendants intend to preserve their right and do not expressly waive any and all defenses listed in Fed. R. Civ. P. 12(b), including with respect to whether they are subject to personal jurisdiction in this forum.

Dated this 11th day of April 2019

EARLY SULLIVAN WRIGHT
GIZER & McRAE LLP

/s/--Kevin S. Sinclair

By: _____
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Attorneys for Defendants
Fidelity National Title Insurance Company and
Chicago Title Insurance Company

Dated this 11th day of April 2019

WRIGHT, FINLAY & ZAK, LLP

/s/--Lindsay D. Robbins

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Christiana Trust, A Division of Wilmington Savings
Fund Society, FSB, Not in Its Individual Capacity But
as Trustee of ARLP Trust 3

ORDER

IT IS SO ORDERED:

By:  _____
Cam Ferenbach
United States Magistrate Judge

Dated: April 11, 2019 _____